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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

FIREMAN'S FUND INSURANCE COMPANY et al.

08 Civ. 4848 (RJH)

Plaintiff,

- against -

NOTICE AND ORDER OF VOLUNTARY **DISCONTINUANCE**

M/V MSC MARIA PIA etc et al.

Defendants

IT IS HEREBY NOTICED that the above-captioned action, in accordance with the provisions of Rule 41(a) of the Federal Rules of Civil Procedure, be and hereby is voluntary dismissed with prejudice and without costs, no party having answered or otherwise appeared in the action.

Dated: New York, New York July 15, 2008 299-688

> CASEY & BARNETT, LLC Attorneys for Plaintiff

By:

Martin F. Casey (MFC-1415) 317 Madison Avenue, 21st Floor New York, New York 10017 (212) 286-0225

SO ORDERED:

1 5 2008 CHAMBERS OF RICHARD J. HOLWEL